



CERTIFICATE OF PROBABLE CAUSE

REPORT NUMBER: 02-18629

CLERK CODE: _____
(Required for all probable cause arrests and all cases submitted for criminal prosecution)

SUSPECT NAME: Forder, Kimberly A.

BIRTH DATE: 03/16/62

COURT: ☒ SUPERIOR COURT
☐ MUNICIPAL COURT

☐ DISTRICT COURT

☐ JUVENILE COURT

ARREST CRIMES:

(1) HOMICIDE BY ABUSE
MANSLAUGHTER I

(Name of City)

REVISED CODE OF WASHINGTON:

RCW 9A.32.055
RCW 9A.32.060(1)(a)

ARREST DATE: _____

ARREST TIME: _____

LOCATION OF CRIME: 2651 Four Wheel Drive, Silverdale, WA, Kitsap County

STATEMENT OF PROBABLE CAUSE

On 11/24/02, I was assigned to investigate the death of eight year old CMF, DOB 07/03/94 who resided at 2651 NW Four Wheel Drive in Silverdale with his adoptive parents, KIMBERLY and ROBERT FORDER and seven siblings, to include the three oldest biological children, MICHAEL, JENNIFER and RJF, DOB 08/20/83.

Upon my arrival at the residence, I observed CMF lying on a bedroom floor with a blanket partially covering his body. I took photographs of his body and noted that he was covered with numerous bruises and abrasions to include his front upper torso, front and back of both arms, front and back of both legs and apparent severe trauma to the back and buttocks area. I also noted an outside slide lock on the bedroom door.

The autopsy on CMF was conducted on 11/25/02 and the cause of death was determined to be severe acute bilateral bronchopneumonia. The forensic pathologist noted that CMF had multiple superficial recent and old blunt force injuries (contusions and abrasions and old scars) to his head, torso and extremities. The forensic pathologist classified CMF'S death as "Undetermined".

At the time of CMF'S death, all family members were interviewed to include his adoptive parents, friends of the family as well as the children residing in the home. One of the family friends, TAMMY WREN, stated that KIMBERLY had called her regarding CMF'S condition. KIMBERLY had told TAMMY that CMF was having an anxiety attack and acting like he was dying. TAMMY and her husband JON discussed the situation and decided to call ROBERT FORDER to find out what was going on. ROBERT told JON WREN that he didn't know what was wrong. JON told ROBERT "if you think your child is going to die, you should take him to see a doctor."

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It was learned that at the time of his death, CMF was being treated for a cold with homeopathic medicine by his adoptive mother, KIMBERLY FORDER, DOB 03/16/62. KIMBERLY explained the bruises and abrasions on CMF'S body were the result of reactive detachment disorder, however it wasn't professionally diagnosed at that time. KIMBERLY explained this caused CMF to inflict injury upon himself by throwing himself around the residence such as against a wall, onto the floor and picking and scratching at his skin. KIMBERLY also stated that CMF had been abused for the first four years of life prior to him coming to live with their family.

According to medical reports, when the FORDER family adopted CMF, he was in the 75th and 95th percentile of growth and when he died, he was in the 5th percentile. In the course of the investigation, it was learned that the FORDER children were brought up with a distinct mistrust of outside influences to include police, CPS, schools, neighbors, etc. The children were all allegedly home schooled.

On 08/09/06, our office received CPS Referral #1742011 indicating that JENNIFER FORDER had come forward with information regarding the death of her adoptive brother, CMF. JENNIFER was reporting that her mother had been the one who had killed CMF. The referral goes on to say that when he was adopted, her mother started spanking him for being naughty. She stated that after about a year, her mother began beating CMF for almost an hour at a time where he would be badly injured and would pass out from the beatings. She said her mother never sought medical attention for CMF'S injuries. She said the abuse escalated to include further beatings, however his food and water would be taken away and he spent most of his time in a crib. She indicated that if CMF didn't take the right bite size of food or chew properly, her mother would take his food away. JENNIFER went on to say that CMF began stealing food from the compost bucket and was punished for doing so. She said that another form of punishment was that he had to stay in the basement without food and water for three days at which time he began stealing dog food.

JENNIFER stated that she tried to tell people about the situation, but she was told that she was lying and was threatened by her father. She explained that these were just a small part of the abuse. She said that all of the children endured abuse to include having their heads pushed under water, starved and beaten. JENNIFER also indicated in the referral that her parents had moved to Africa on 07/11/06 along with the rest of the adoptive children and had adopted a set of infant triplets from Africa.

On 08/09/06, I made contact with JENNIFER FORDER over the phone and arranged to have her meet with me on Tuesday, 08/15/06 at 1400 hours.

A few days later, JENNIFER called saying that her mother, KIMBERLY FORDER, had returned alone to the United States from Africa for medical treatment.

On 08/15/06 at 1400 hours, Detective Steve Duckworth and I met with JENNIFER FORDER and a victim advocate from Medford, Oregon, JERI GRETLAM.

In speaking with JENNIFER, she confirmed the information that had been provided to our office in the CPS referral. She also said that CMF'S biological brother, NJF, DOB 09/12/95 was also adopted by the family. She said he was abused also to include food and water withheld, however not as often.

She said that their family adopted CMF at the age of four and the abuse started shortly thereafter. She indicated that CMF began wetting his pants, wetting his bed and at that point, he was then made to sleep in a crib in the hallway on a bare mattress without sheets or blankets. She said that since he wasn't allowed out of the crib, he was forced to urinate and defecate on himself. She said he was forced to wash his own clothing in a five gallon bucket on an outside porch and if that wasn't done correctly, her mother would dunk his head in the bucket that contained the soiled clothing until he stopped struggling.

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She said that her mother would throw CMF into the duck house as a form of punishment and would be left there for several days without food, water or blankets. He was told that since he acted like an animal, he should be treated like an animal. She said that CMF had been starved and beaten daily for four years. If he dropped any weight, her mother would panic and he would then be fed. However, if he chewed the food incorrectly, she would take him downstairs and beat him until he bled. JENNIFER said she continually tried to tell her father about the abuse CMF was being subjected to, however he refused to acknowledge that there was any abuse going on. She said that her father had spanked CMF more than once with a belt on his bare bottom and would strike him forty-five to a hundred times.

JENNIFER spoke about an incident where her mother was attempting to cut CMF'S hands off with a saw for stealing and her mother felt that by cutting his hands off, it would prevent him from going to hell for stealing. She said she tried to intervene and stop her mother, but was unable to do so at that point. She said she ran upstairs to turn the television on so that the other children could not hear CMF screaming and that is when CMF ran up the stairs behind her.

She said CMF was forced to wear diapers while living with them. She said there were times he was forced to wear soiled diapers on his head as a form of punishment. She said there was an incident about a year prior to his death where her mother got angry after CMF had soiled his diapers. She said he was forced to stay outside for four days in a row wearing the same diaper and food and water were withheld. The soiled diaper eventually fell to his ankles where he was not allowed to remove it. She said that CMF'S own urine began to burn his skin and maggots began forming on the soiled diaper. She said he was finally allowed to come back inside the house where her mother had scrubbed off the maggots using a scrub brush on CMF.

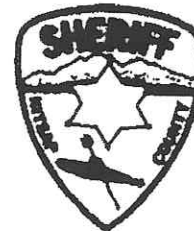
JENNIFER told us there was an incident where her mother had directed CMF to go play and when he didn't immediately respond, her mother pushed CMF down an outdoor stairway made of nine railroad ties. She said he cut his forehead on the concrete at the bottom of the stairs. She said CMF made no sound after he struck the concrete and he began having a massive seizure. She said her mother brought him in the house and was in an unusual state of panic saying "My God, I think I killed him" over and over again. She said KIMBERLY was also saying "Oh my God, don't die" and she saw that CMF'S eyes would not track. JENNIFER said her mother never sought medical treatment. She said that CMF continued to have seizures after that incident and again, her mother never sought medical attention. She said that the year CMF died, he had at least eight seizures.

We spoke about incidents described in the CPS referral where CMF was stealing food from the compost bucket and had been caught doing so by the mother and father. JENNIFER said that her mother would hold CMF'S face in the bucket and her father would pick up CMF by his ankles; stuff CMF into the bucket until his body was lifeless.

We then spoke about the day CMF died and JENNIFER told us that four days prior, CMF appeared to be having problems breathing. She said on the second day, he complained of chest pains and he was slapped by her mother for complaining. She said on the third day, he was given a bath. She said on the day of his death, her father and mother called church friends and said that they thought CMF was dying and asking what should they do. JENNIFER said her parents were told to take him to the hospital, but they never did. She said her father then called a family meeting, without their mother and told them that he thought CMF was dying and that their mother had killed him. She said he offered two options to them, that CMF be allowed to die and be buried in the backyard or they could call 911 at which time the children would probably be removed from the home because CMF'S obvious bruising. She said that her father told them to make a decision and he went to bed. She said shortly after that, they heard a terrible choking sound coming from CMF'S bedroom, so she went into the bedroom. JENNIFER said she observed her mother and father performing CPR on CMF and her brother, MICHAEL, was calling 911.

JENNIFER said that three days later, her mother said that she was sorry, that she had killed him that she knew he was dying and that she didn't want to get him help because of the bruising. She also said that all of the children in the house were abused, however nothing as severe as CMF. JENNIFER also said that RJF previously told her that she would rather kill herself than talk about what happened in the FORDER household to anyone outside the family.

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On 08/20/06 at 1830 hours, Detective Duckworth and I spoke with MICHAEL FORDER who is currently in custody at the Kitsap County Jail for the alleged rape of RJF. MICHAEL was arrested on 07/12/06.

MICHAEL was read his Miranda Rights, he stated he understood his rights and was willing to speak with us. MICHAEL initially told us that his father was the main disciplinarian in the home. He confirmed that CMF slept in a crib in the hallway, was forced to wash his soiled clothing in a bucket on the back porch, was forced to sleep on the deck as a form of punishment and had food taken away for not eating his food right. He also confirmed that CMF was punished for stealing food from the compost bucket. He told us that he had only seen his mother spanking CMF with a wooden spoon and had not seen any other type of physical abuse. He said he chose to not be at home a good portion of the time because he was either working or at a friends home. MICHAEL finally admitted that his mother was the main disciplinarian in the home and that she would go overboard with the spanking.

In speaking about the day CMF died, MICHAEL confirmed that there was a family meeting and their father had told them he should have stepped in sooner to help CMF. He said their father told them that CMF would be going to the hospital the next day and that there would be problems due to CMF looking pale underweight. He said their father told them that it would be likely the state would get involved and he asked the children what they should do.

MICHAEL was asked if he was concerned about the other children and he told us that his parents did a "hundred and sixty degree" change to the better in how they treated the children after CMF'S death. He said he had noticed that two to three weeks prior to CMF'S death, CMF still received spankings, but not as much.

On 08/22/06 at 1240 hours, Lieutenant Earl Smith and I met with RJF in Montesano, Washington. It should be noted that RJF was initially very hesitant to speak with us regarding the circumstances around CMF'S death.

RJF said that when CMF first came to their family, she didn't observe any serious behavior issues, however they developed over time to include the bedwetting and the soiling of his pants. She confirmed that CMF was spanked with numerous items, mainly a two to three foot length of one-inch dowel. She said he spent the majority of the four years in a crib. She confirmed that CMF had to wash his soiled clothing in a bucket on the deck and was sometimes made to be out there all day washing the same clothing over and over again. She said she had observed her mother grab CMF by the neck and force his face into the bucket of dirty water on numerous occasions because she felt he wasn't listening to her. She confirmed he had been forced to sleep in the duck house for four to five days at a time without food or water or blankets as a form of punishment. She said she would sneak food out to CMF when no one was watching. She said he was forced to stand outside in the yard in a soiled diaper for twenty-four hours at a time. She told us of another incident where CMF was made to stand in the corner for punishment, however her mother felt he wasn't standing in the corner correctly. She said her mother beat him again with the dowel and he received a serious laceration to the back of his head that was bleeding. She told us that CMF received on the average, six beatings a day.

She said she attempted to tell her father about the abuse, but he ignored her. She said that about six weeks prior to CMF'S death, RJF said she threatened her mother that she would report the abuse if it didn't stop. She said after that point, there was a reduction in the beatings that CMF endured.

RJF confirmed that on the day CMF died, her father had called the family meeting. She also confirmed that her father said that CMF was sick and that if he died, they could bury him in the backyard or take him to the hospital at which time the children would be removed from the home. She confirmed that their father indicated it was their decision and had gone to bed.

RJF told us that it was her parents plan to return CMF to the state once his bruises had healed. She told us that the harshest punishment she observed was when she was awoken about 0200 hours in the morning and heard sounds in the basement. She said she went downstairs; saw her mother holding an infant sibling in one arm and the dowel in the other. She watched her

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mother beat CMF, who was lying naked on the floor, with the dowel while still holding onto the infant. She said she grabbed the dowel away from her mother, got CMF dressed and fed him. She said she noted that CMF had significant bruising on his back.

RJF ended her statement to us by saying that one time when she was sneaking lunch to CMF in the basement following a beating, CMF had told her that he just wanted someone to love him. She said she told CMF that she loved him. CMF then stated that God forgives her (indicating his mother).

Since MICHAEL'S arrest on 07/12/06, RJF has received a total of four phone calls from KIMBERLY FORDER asking her to drop the charges, asking if she has spoken to MICHAEL, telling her that MICHAEL could get life in prison and indicated that MICHAEL is willing to sell his vehicles so that he can give her (RJF) money.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.



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